

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Dennis Maurice Temple, #274802,	)	
	)	C/A No. 3:05-2477-MBS
Plaintiff,	)	
	)	
vs.	)	
	)	<b>O R D E R</b>
Mary Coleman, Inmate Grievance Branch	)	
Director; Jeanie Gardner, Inmate	)	
Grievance Coordinator at Catawba	)	
Pre-Release Center; Glen Stone, Acting	)	
Warden at Catawba Pre-Release Center;	)	
and Robert P. Stroker, General Counsel of	)	
South Carolina Department of Corrections,	)	
	)	
Defendants.	)	
	)	

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At the time of the underlying complaint, Plaintiff Dennis Maurice Temple was an inmate in custody of the South Carolina Department of Corrections (SCDC) housed at the Catawba Pre-Release Center in Rock Hill, South Carolina. Plaintiff brings this action pursuant to 42 U.S.C. § 1983, alleging that Defendants violated his constitutional rights with respect to the processing of grievances he filed at SCDC.

This matter is before the court on motion for summary judgment filed by Defendants on December 2, 2005. On January 4, 2006, an order was issued pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), advising Plaintiff of the summary judgment procedure and the possible consequences if he failed to respond adequately. Plaintiff filed a response to the motion on January 31, 2006.

In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Joseph M. McCrorey for pretrial handling. On June 30, 2006, the Magistrate Judge issued a Report and Recommendation in which he recommended that Defendants'

motion for summary judgment be granted and that any state law claims asserted by Plaintiff be dismissed pursuant to 18 U.S.C. § 1367(c)(3). Plaintiff filed no objections to the Report and Recommendation.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of any portions of the Report and Recommendation to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of objections to the Report, this court is not required to give any explanation for adopting the recommendation. Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The court has carefully reviewed the record and concurs in the recommendation of the Magistrate Judge. Accordingly, Defendants' motion for summary judgment is granted. The court declines to exercise jurisdiction over any state law claims asserted by Plaintiff. Accordingly, any state law claims appearing in this complaint are dismissed without prejudice.

**IT IS SO ORDERED.**

/s/ Margaret B. Seymour

United States District Judge

Columbia, South Carolina  
July 27, 2006

**NOTICE OF RIGHT TO APPEAL**

**Plaintiff is hereby notified that he has the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.**